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# *The* ADMINISTRATIVE BULLETIN



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AND PERSONNEL ACTIVITIES OF THE  
U.S. DEPARTMENT OF AGRICULTURE







# Administrative Bulletin

Issued by the Office of Personnel and Business Administration, of the United States Department of Agriculture, in cooperation with the Department's Bureaus and Offices and distributed solely to employees of the Department.  
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December, 1931

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ANNOUNCEMENT

One of the prominent scientists of the Department recently made the following comment on the general character of the articles which have so far appeared in the Administrative Bulletin.

"I hope as time goes on you will have some constructive suggestions from leaders in research who know and appreciate the administrative difficulties constantly besetting a great organization such as our Department".

The Administrative Bulletin will welcome these suggestions from the research staff of the Department as well as from those dealing with administrative matters, especially suggestions as to topics for presentation and discussion in future issues of the bulletin.

*WW Stockberger*



## The President's Council of Personnel Administration

By

Dr. L. J. O'Rourke,  
Director of the Council.

The Council of Personnel Administration was created April 25, 1931, by an Executive Order signed by President Hoover. It is composed of the heads of the various departments and some of the independent Organization offices of the Government, under the chairmanship of the President of the U. S. Civil Service Commission. The and Purpose purpose of the Council, as stated by President Hoover, is to of Council develop in the Federal Government a more effective and economical system of employment and personnel management, and to promote the general welfare of the employees of the National Government.

A statement of the objects of the Council will indicate the research aspects of the program. These are: to establish a more effective liaison system between the Civil Service Commission and the several departments and universities; to coordinate personnel administration in the Federal service; to reduce excessive turnover among the better qualified employees; to avoid excessive increases in personnel; to provide for the training of personnel assistants in the several departments; to make available to the Government the best personnel practices of private industry; to develop a more adequate system of personnel records; to make more attractive the prospect of a career in the Federal service; to attract more of the better qualified university graduates to the service; to improve selection and training methods; and, in general, to increase the efficiency with which Government business is transacted.

The Executive Order specifically directs the carrying out of a fact-finding survey to show present personnel practices and to serve as a basis for increasing flexibility of registers, as well as for improving methods of selection, transfer, promotion, and training in the Government service.

An outstanding need of the Federal service is the introduction of comparable systems of personnel administration and business management throughout the Government departments. To this end, a Coordination committee of the Council undertook a study of the duties of Personnel and responsibilities of personnel officers in the various Activities departments, and has drawn up a plan for definitely allocating the responsibility for personnel and business administration throughout the Bureaus of each department. This committee has made definite progress and is now drafting its report.

The Transfer Committee of the Council, on October 6, undertook the development of a special project designed to increase career possibilities



in the Federal service, in accordance with the general objectives of the Council. One purpose of this project is to bring the people who are in blind-alley jobs, and who are actually qualified and potentially able to give exceptional service in higher positions, to the attention of appointing officers of departments in which vacancies in more responsible positions occur, in order that these people may be considered before people from the outside are called upon. In speaking of blind-alley jobs, we have in mind the position which offers no outlet to a higher grade of work of the same type, and for which there are no possible lines of promotion for which the employee is prepared by training and experience. Under the present system, it is impossible for people in the Federal service to be in touch with all openings, or for personnel officers to know which people in the different departments, or even in the various bureaus of one department, are qualified for consideration when openings in the higher positions occur.

The Transfer Committee has designed a form to reveal those employees in blind-alley jobs who are qualified for more responsible duties. This form is to be filled in, in duplicate, by division chiefs, and is to be forwarded by them to their Council representative, who, in most cases, is the personnel officer of the department. The original form will be kept by the personnel officer of the department, who will consult all such forms in connection with openings occurring within the department, in order that, in so far as possible, each individual's knowledge and experience regarding his own organization may be utilized and retained within the organization. The duplicate of the form, to be sent to the Commission, will be consulted in connection with openings which occur in other departments. Thus, an individual will be considered for vacancies both within his own and within other departments.

On the basis of preliminary records sent in from the various departments, the organization and procedure of handling the blind-alley forms have been determined, and the record system is functioning in the Civil Service Commission.

The success of the plan depends upon the sincerity of the division chiefs and assistant division chiefs, and the extent to which they know their employees' qualifications and are willing to release highly qualified employees from blind-alley jobs. It is desirable, in the beginning, to secure from Council representatives and division chiefs a designation of the blind-alley jobs and the people who are exceptionally well-qualified for more responsible positions, since, if we were to ask those who feel that they are in blind-alley jobs to present facts in regard to their cases, it is probable that everyone in the service would state that he feels deserving of a higher allocation. For that reason he would interpret his job as being a blind-alley job.

A second purpose of the project is to discover those Federal positions which might be termed blind-alley jobs. Through a study of such positions



and the development of training courses for employees who fill them, it will be possible to remove them from the blind-alley class and to make them instead, an integral part of a definite promotion system. A training program being undertaken in the Civil Service Commission is designed toward this end. This program is discussed in the section "Training by Unit Operations," on page 5.

Building Blind-Alley Jobs into Promotion System

The study of the various phases of training as it concerns the Federal employee consists, first, in determining in which bureaus and divisions training courses or organized training procedures are conducted.

Investigation of Existing Training Courses

Those courses now being carried on in Government service have been located, and a form which calls for a comprehensive account of each distinct training course or unit has been sent to those in charge to be filled out in detail. The information obtained will include, to the extent that it is available, first, a brief account of the establishment of the training course, together with major changes since its establishment; second, a detailed account of the present training organization. This latter includes an analysis of the purposes and objectives of the training courses; the administrative problems involved in carrying out the training programs; the types of courses given and specific instruction methods employed, such as lectures, assignments, laboratory work, correspondence, systematized supervision of production work, etc., as well as an analysis to determine as specifically as possible the actual benefits obtained by the various training procedures.

The facts learned through this study, together with data secured through conferences with members of industrial firms who are doing outstanding work in this field, will serve as a basis for the development of additional training courses, designed to increase the efficiency with which Government work is performed and at the same time to improve personnel procedures and increase the possibilities of promotion in the service.

Incident to the Council's study of training methods, the Civil Service Commission has announced that certain of its sections will in the future be not only production sections but will train men and women to fill more responsible positions in and out of the Commission. A very definite effort will be made to attract to these positions personnel with superior qualifications, in order that they may be potentially qualified for training in, and transfer to positions in the technical section of the Examining Division, in the Research Division, in the Division of Investigations, and in other divisions, or to the position of Assistant District Manager, as well as to positions in the personnel field outside the Commission.

Training by Unit Operations

These employees will be given assignments to certain sections of the Commission for a half-day, or for some other specified length of time, each



week or each month. Thus their training will consist, not of lectures, but of actual work. The procedure, which involves reciprocal transfers, will in no way retard the regular work of the Commission. Moreover, it will make the positions in these sections more attractive to the better qualified employees and make such positions, some of which in the past have been blind-alley jobs, definite steps to more responsible duties. The flexibility of organization which results from such diversified training in unit operations will permit mobilization of personnel to handle the work in the emergency peaks which occur continually in one division or another of the Commission, and will insure greater coordination in the regular functioning of the organization.

Complete data are being assembled concerning all individuals in the scientific and professional positions of the Government. This survey has already been completed for certain bureaus, and the analysis of the findings is now being made. The data obtained include record of changes in status, cumulative yearly educational record, age, sex, transfers, separations, and so forth.

Personnel  
Data Survey

In order that the Government may have the advantage of the best methods of personnel administration that have been developed in industrial organizations, arrangements are being made to hold small conferences periodically between Government and industrial committees made up of those doing outstanding work in each of the various phases of administration of interest to the Council. In this way, experiences may be pooled, and definite plans may be formed by which the work of the Government and industry may be coordinated and the results made available to all.

Cooperative  
Conferences

-----PBA-----

" W E "

What a small word--two letters! Webster says that "we" means "I and another or others." The "we" spirit has been responsible for every great achievement. "We"--Lindbergh and his plane--"did it." No organization reaches its maximum of usefulness without "we" collaborators. It is not so much what you do as what "we" do. "We" translated into terms of service--human service--every day of toil is what establishes for an organization its reputation. Service is the greatest thing in the human calendar. Ex-President Coolidge has said "No person was ever honored for what he received. Honor has been the reward for what he gave." Every day is a challenge to employees to consistently become "we" soldiers. There is a saying - "A great deal of good can be done in the world if one is not too careful who gets the credit." Let the precept of every working day be--"We" will work for the best interests of our organization.

Contributed by  
Louis V. Woulfe,  
Bureau of Animal Industry.

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## Adequate Authority and Rigid Accountability Make for Effective Operation

By

*F. B. Linton, Assistant to the Chief,  
Food and Drug Administration.*

There is allotted to the chief of each organization unit of the Food and Drug Administration, before the beginning of a fiscal year, a fixed number of assistants, a certain amount of space and equipment, and in addition a definite allotment of money to be used for the payment of all expenses other than rent and salaries. This allotment of personnel, space, equipment and money is to be used in carrying out a predetermined program of work which has been carefully planned and considered at a conference of the chief officers of the Food and Drug Administration before the allotments are fixed. The allotment for each unit is determined by the part the unit is to play in carrying out the program of work and varies from year to year.

The program of work provides for the effective enforcement throughout the entire United States of the Federal food and drugs act, the naval stores act, the tea inspection act, the import milk act, the caustic poison act and the insecticide act. The personnel is organized into staff offices and laboratories in Washington and into district and station headquarters functioning as operating units in the leading trade centers of the nation. The chief of each major unit reports directly to the head of the Food and Drug Administration.

The head of each unit both in Washington and in the field is given in advance wide authority for the use of the means provided for his work, but is held to a strict accountability for seeing that all transactions are in accordance with the laws and regulations, and in addition and most important, that they are in accordance with sound business principles, that is, that full value is received for every dollar expended, and that the available means are used in such way as to bring the maximum results.

The application of this policy involves giving ample general authority in advance to perform whatever acts and to incur whatever expense may be necessary, and then by a system of appropriate reports require a rigid accounting for what has been done. This places full responsibility upon the division chief, or project leader, or independent worker, for transacting the business under his charge in the most effective way to bring full return for all expenditures. Both advance authority and subsequent rigid accountability are essential to this plan. Authority without accountability leads to extravagance. Accountability without adequate authority leads to divided responsibility and inefficiency.

Place Responsibility Where  
It Belongs



The emphasis necessarily placed upon the law, regulations and prescribed forms in the transaction of Government business sometimes so absorbs the attention that sufficient consideration may not be given to the more vital question of whether or not the transaction is on the whole good business.

Form and Substance      Someone has said that if a Government agent buys a mule after advertising in the approved manner, obtaining a sufficient number of bids in proper form, and submits a voucher signed in ink on the specified line with all blank spaces meticulously filled with appropriate notations, the voucher will go through the mill without a question as to whether the mule bought for one hundred dollars might be worth only fifty, or whether after all it was advisable to buy a mule at any price. This is an ancient and perhaps exaggerated illustration of the tendency, all too prevalent at times in the past in the transaction of Government business, to center attention so exclusively on form that little was left for the consideration of substance.

This is not said to disparage in the slightest degree the necessity for a strict compliance with form. Form in Government fiscal documents is absolutely essential and must be complied with in all transactions, however, exasperating the requirements may sometimes seem. But form should not be the most important consideration in the transaction of Government business. As essential as form is, other considerations are even more vital. The observance of form should never be an excuse for the lack of adequate consideration of substance. The heads of units, project leaders, and independent workers of the Food and Drug Administration endeavor to give adequate attention both to the form and to the substance of each transaction.

In applying the policy of giving ample authority before the act, and requiring rigid accountability after the act, the Food and Drug Administration has found it necessary to develop a cost accounting system to furnish data to compare with the records of results of each unit or division. General Daves has been quoted as saying something to the effect that most Government accounting was limited to showing that a certain sum had been made available for expenditure and that it had all been spent. That was before the day of the budget. Considerably more is needed if any real judgment is to be exercised in determining whether or not any given line of work might be carried on at less cost and, if not, whether it is worth continuing.

Finding the Worth of the Work

Real cost accounting partakes somewhat of the nature both of an art and of a science. Therefore, it should be performed by a trained cost accountant. The project leader or operating chief should have as little as possible to do with the cost compiling work. He may have enough to do, after the costs are compiled, to explain why some of his operations cost so much, and to adopt such means as may be necessary to keep his costs at the minimum consistent with effective operation.



While the project leader or independent worker should not be too much concerned about the details of cost accounting, he is tremendously concerned with the data furnished by the cost records. The cost sheet is one of the measuring rods by which his worth to the work of the organization is determined. It is also an essential factor in planning future operations and in determining allotments of personnel and funds.

It is easy to do increased work with a larger allotment and a bigger staff. Any leader can do that. The problem that confronts most Federal and State officials today is to do more work without increased cost. Some leaders do it. They do it by better planning, by added experience, by more resourcefulness in meeting emergencies, by tackling the tough tasks with added zeal, by everlastingly keeping in view a definite goal, by inspiring their staff with their own enthusiasm for worthwhile results. Such leaders rise to the top as surely as cream; they are, in fact, the cream of the leaders.

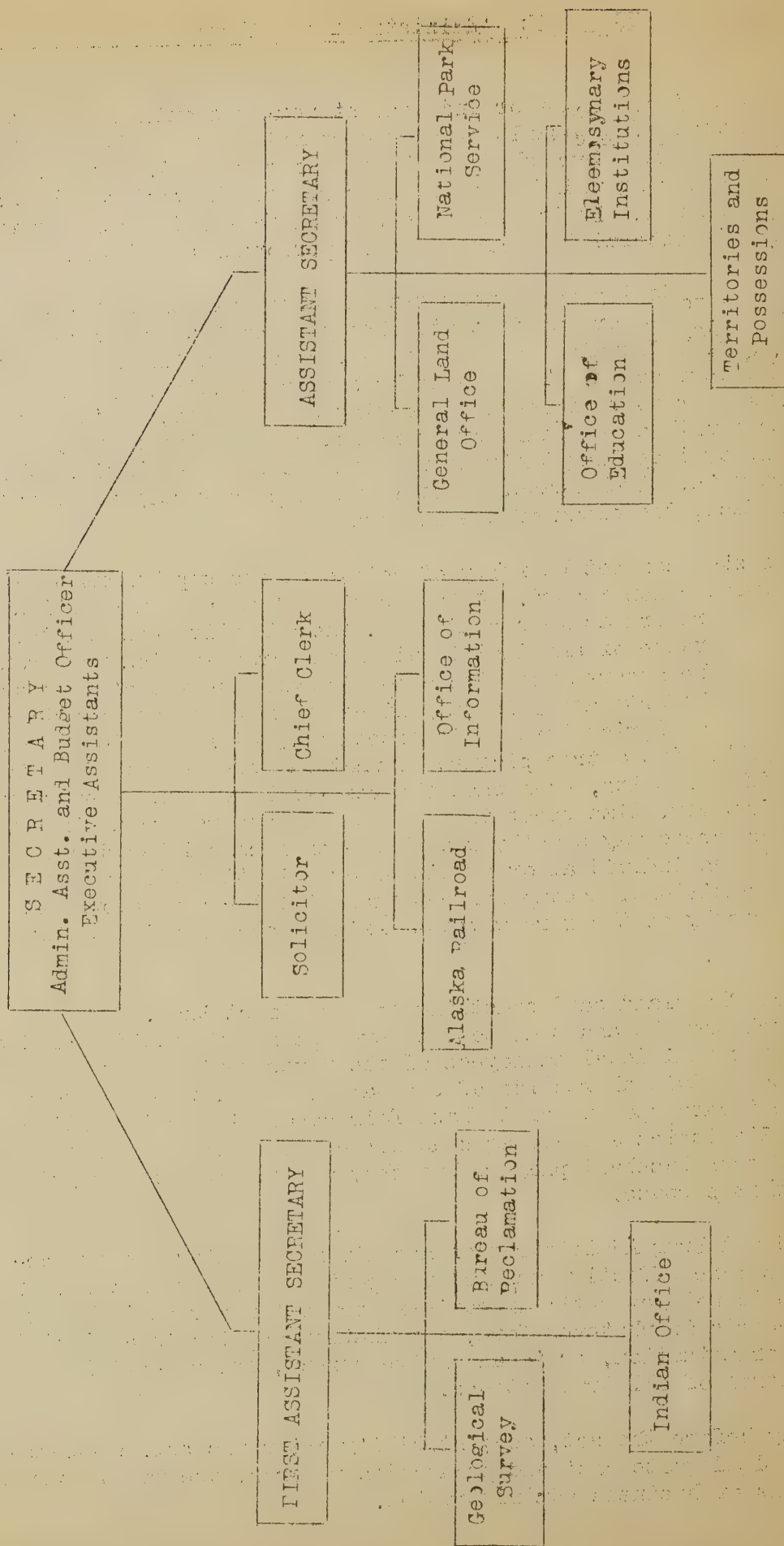
A cost system can not be fully effective unless supplemented with some form of production record. With a cost system and a production record as measuring rods, the effectiveness and the value of any individual or any organization unit can be ascertained with a considerable degree of accuracy. Unfortunately in many lines of work of the Department of Agriculture it is exceedingly difficult to formulate records that will give a true picture of what has been produced in the way of worthwhile results, even when the results have been of extraordinary value. However, time spent in ascertaining and recording in some specific and concrete way exactly what has been accomplished during a given period by an individual or a unit of organization will often be more productive of additional accomplishment than will the same amount of time spent directly on the work without definite accountability for results.

Dr. F. A. Cleveland said something to the effect that, if we devoted as much thought and time to the development of specific production records for individual employees of the Government as have been devoted to the individual records of baseball players, we could soon have sufficient data upon which to base fair conclusions of relative efficiency. Statistics and averages do not entirely measure exactly the efficiency of even baseball players but they are the best means yet developed for that purpose.

The Food and Drug Administration has given much study to the development of a more effective method of reporting results of work. The method in use is not yet entirely satisfactory but progress is being made. Production records in whatever form, and whether applied to an individual, to a unit of organization, or to an entire bureau, are essential for the effective control of all transactions.

Authority before the act, accountability after the act, supplemented by accurate and adequate cost and production records, are two of the most effective tools of business administration.







## Functions of the Department of the Interior

By  
John Harvey,  
Supervisor of Classification.

Soon after the close of the Mexican War when many internal problems were developing from territorial expansion and from a great increase in the population, wealth and business of the Nation, a movement was begun to secure the establishment of a new executive department to which there should be transferred, from existing departments primarily concerned with other quite different activities, the public business relating to domestic affairs, such as patents, pensions, Indian problems, and the census. Debate of the proposition in Congress led to passage of an act, approved March 3, 1849, entitled "An Act to establish the Home Department," etc. Section 1 of the statute specified, however, that this new unit of the executive branch of the Government should be called the Department of the Interior and its head the Secretary of the Interior. The act made provision for one clerk--chief clerk at \$2000. The transfer of such clerks as had performed the duties over which supervision was by the act given to the new secretary was authorized, but owing to the fact that none of the clerks had been exclusively so engaged, it was found impracticable to make any transfers. To meet the emergency, a number of employees were provided by detail from other bureaus and the secretary employed six clerks upon his own responsibility, subject to later approval by Congress.

At the present time the Washington administrative force is comprised of the Secretary, First Assistant Secretary, Assistant Secretary, Solicitor, one Administrative Assistant, three Executive Assistants, Chief Clerk, and 191 other employees. Field employees of the department number approximately 14,000. The principal organizations over which the act of 1849 conferred supervision upon the Secretary of the Interior were the General Land Office, Patent Office, Bureau of Pensions, Office of Indian Affairs, and the Census Office. In the course of the 82 years that have elapsed certain activities, by legislation or Executive Order, have been placed under the Interior Department and several have been transferred to other departments, among the latter being the Patent Office and Bureau of Mines, transferred to the Department of Commerce, and the Bureau of Pensions, transferred to the Veterans' Administration. At the present time the department's jurisdiction embraces the following activities: Divisions of the Office of the Secretary, Office of the Solicitor, General Land Office, Geological Survey, Bureau of Reclamation, Office of Indian Affairs, National Park Service, Office of Education, Territories of Hawaii and Alaska, government in the Virgin Islands, St. Elizabeths and Freedmen's hospitals, Howard University, Columbia Institution for the Deaf, and The Alaska Railroad.

Under the Office of the Secretary are the following units having



administrative, executive, legal, supervisory and general business functions as implied by their respective designations: offices of the First Assistant Secretary, Assistant Secretary, Administrative and Executive Assistants, and the Chief Clerk; Federal Oil Conservation Board; Division of Appointments, Mails and Files; Division of Publications; Division of Supplies; Traffic Division; and Office of the Chief Disbursing Clerk. The Division of Appointments, Mails and Files is an office in which the handling of Civil Service and other personnel matters of the Department and its bureaus has been centralized to secure proper administrative supervision and control of appointments, the maintenance of time and retirement records, and the preparation of pay rolls for Washington offices.

The Department of the Interior is primarily the conservation branch of the Federal Government. Conservation is its chief task, and a majority of its bureaus have functions connected with the disposal, development, conservation and administration of the public domain, by which is meant Government-owned public lands in certain states and the Territory of Alaska, acquired by treaty, cession, exploration and occupation, and purchase, and disposed of under authority of Congress. These lands are gradually being absorbed into private ownership but they still constitute a vast empire in the aggregate, offering returns from the proper development of their agricultural, mineral and grazing resources to the individual as well as to the States and the Nation, while the natural wonders therein are reserved and administered, through the creation of national parks and monuments, for their educational and recreational value to all the people.

Conservation under present administrative policy is directed toward wise use rather than the hoarding of natural resources. The most significant accomplishments in this direction have been the restriction of production in a number of oil-producing states by the exercise of their police power and the stopping of overdrilling and overproduction on the public domain by Executive Order. The effect has been an increase in the value of oil and a decrease in its wasteful use. The Committee on Conservation and Administration of the Public Domain, appointed by the President, has rendered a report recommending that in the course of the next ten years the surface of the public domain be transferred to those states which are willing to accept the responsibility for it, and that in those states which do not so elect the Government set up an adequate system of range control.

#### GENERAL LAND OFFICE

The public domain is under the control of the General Land Office, supervisory and appellate jurisdiction being vested in the Secretary of the Interior. The statute provides that the commissioner shall perform,



Responsible  
for Survey  
and Sale of  
Public Lands

under the direction of the secretary, all executive duties appertaining to the survey and sale of public lands of the United States, or otherwise respecting such lands, and also such as relate to private claims of lands and the issuing of patents for all grants of lands under the authority of the Government. The public lands are identified and subdivided by a system of rectangular surveys made by a corps of civil engineers, who prepare field notes and plats providing descriptions by which the lands are disposed of. The total area of vacant lands now subject to all applicable public-land laws is approximately 177,000,000 acres, of which amount 50,000,000 acres remain to be surveyed. The lands are made available for entry by the filing of applications in the Washington office and in 29 district offices located in 17 public-land states and the Territory of Alaska. A force of field representatives is engaged in making investigations with respect to compliance on the part of entry-men with the requirements of laws and regulations and in protecting the Government against fraud and trespass upon the lands and their natural resources. The bureau administers laws which provide for metaliferous mining, mineral leasing, and livestock grazing; for vast grants of lands to states in support of schools; grants in aid of railroad construction; laws providing for homesteads, sale of timber lands, and reclamation of desert lands; and for rights of way for railroads and for power, irrigation, and other purposes. It has quasi-judicial powers in the adjudication of applications presented under the various statutes, and in connection with the above-enumerated activities there are employed under a commissioner and an assistant commissioner 324 employees in the Washington office and 496 in the field.

BUREAU OF RECLAMATION

The public domain embraces large areas of desert lands. On June 17, 1902, Congress enacted the Reclamation law, which gave to the Secretary of the Interior authority to make examinations and surveys for and to locate and construct irrigation works for the storage, diversion, and development of streams and rivers whose waters were running to waste. The reclamation of a considerable acreage of arid and semi-arid lands had been accomplished by individual and corporate enterprise under earlier laws, but economic conditions demanded the expenditure of large sums because of the ever increasing difficulty of construction work. Congress, therefore, provided for the reclamation of large areas of lands by establishing the Bureau of Reclamation and making the receipts from the sale of public lands and royalties from the oil leases available for the construction of irrigation works. These proceeds are used as a revolving fund, repayments from settlers on the reclaimed lands being used in the development of new projects. The 25 operating projects, with 40,354 irrigated farms and a total irrigable area of approximately 2,000,000 acres, have a population of 165,256, exclusive of 472,723 in 213 cities and towns on the projects.

Responsible  
for Construction  
of Irrigation  
System



The Bureau has constructed to date, among other features, 17,467 miles of canals and drains; 132 tunnels with a total length of 40 miles; 12,194 bridges with a total length of 56 miles; 5,540 flumes; 1,461 miles of road; 117 miles of railroad; and 7,237 miles of telephone and power transmission lines. In building dams and other irrigation structures, 4,776,359 cubic yards of concrete, involving the use of 5,350,393 barrels of cement have been placed. By special act Congress has authorized appropriations amounting to \$165,000,000 for the Boulder Canyon project, now under construction in Black Canyon on the Colorado River, the purposes of which are flood control and general river regulation, irrigation of lands in Arizona, Nevada and California, silt control, power development and domestic water supply. The dam will be 730 feet high, the highest in the world, and the lake which it will create will be 115 miles long and 580 feet deep. It will take  $6\frac{1}{2}$  years to complete the dam, power plant and appurtenant works. An executive office, employing an engineering, scientific, legal and clerical force of 165 employees, is maintained at Denver, Colorado, under a chief engineer who is in charge of all matters relating to the management and execution of the work in the field. Expenditures for irrigation works to June 30, 1931, total \$258,000,000 and collections \$99,000,000. General administrative functions in the Washington office, in which there are 54 employees, are exercised through the Commissioner, Assistant Commissioner, Director of Reclamation Economics, engineering and accounting divisions, and the chief clerk. The number of field employees varies from 1,400 to 2,000.

#### GEOLOGICAL SURVEY

Another bureau having an important part in the conservation and development of the natural resources of the country is the Geological Survey, which employs a large staff of geologists, engineers, and other scientists in making topographic and geologic surveys, studying surface and underground water resources, classifying public lands, and supervising the engineering phases of mineral leasing. Much of the work is done in cooperation with states and municipalities, other branches of the Federal Government, and non-governmental scientific organizations. The Bureau maintains several scientific laboratories, produces topographic, geologic and various other maps, and prepares, publishes and distributes geologic bulletins, professional papers, water-supply papers, and reports on gold, silver, coal, potash, petroleum, water, and other mineral deposits. The Survey is headed by the Director, whose immediate assistant is the administrative geologist. The scientific and engineering work in field, office, and laboratory is conducted through five branches--the topographic, geologic, water resources, Alaskan, and conservation branches. The chief clerk has supervision over the business offices, including such units as the division of engraving and printing, the division of field equipment, and the division of distribution. The bureau maintains 60 district offices in 38 states. The personnel consists

Studies Water  
and Mineral  
Resources as  
Well as Classify-  
ing Public Lands



of 519 employees in the Washington office, and an average of 612 permanent employees augmented by 544 temporary field assistants.

### OFFICE OF INDIAN AFFAIRS

No agency of the Federal Government is more intimately and widely concerned with the educational, social and economic interests of individuals than is the Office of Indian Affairs with the aboriginal tribes of the country. This bureau is charged with the administration of the affairs of approximately 225,000 restricted Indians, who are wards of the Government. In acting as official guardian, it protects their personal and property rights; encourages native arts and crafts; promotes agriculture and the development and conservation of oil and gas, timber, and other natural resources in their lands; provides for the education of their children; maintains hospitals and sanatoria; supervises the expenditure and investment of their funds; adjusts heirship matters, etc. The work is carried on through field forces under school, agency, hospital and other officers with headquarters on or near the Indian reservations, also through a staff of traveling medical, educational, agricultural, industrial and engineering supervisors. The policy is to encourage and assist these people in preparation for self-support, active citizenship, and eventual amalgamation with the general population, and to give them adequate training in health, education and economic independence until such responsibilities are assumed by local government. Under a commissioner and assistant commissioner are the five major divisions of Health, Education, Agricultural Extension and Industry, Forestry, and Irrigation. A technical or professional director heads each division, with direct executive and administrative powers over its field activities. These divisions are grouped under two assistants to the commissioner, one coordinating all functions having to do with human relations and the other those concerning property. A chief finance officer has immediate charge of budget matters and general supervision of accounting, purchasing, and construction divisions. A chief counsel, as law officer of the bureau, heads a force of attorneys engaged in reviewing all matters of a legal nature, determining the heirs of deceased Indians and probating wills. The chief clerk has supervision of the personnel of the Washington office and directs the operations of a number of service units, including the library, mails and files and statistical divisions. The bureau maintains 71 Indian boarding schools with a total of nearly 25,000 pupils, several of these institutions having an enrollment in excess of 1,000; also 130 day schools with an enrollment of 3,983; on June 30, 1931, some 43,000 children were in public schools, over 36,000 having been placed therein under tuition arrangements made with school districts; it operates 98 hospitals and sanatoria with a total capacity of approximately 4,000 patients; constructs, maintains and operates irrigation projects through a central field office at Denver; administers



the protection, conservation and sale of timber and the leasing of lands for farming and grazing; allots tribal lands to individuals; supervises the purchase, sale, and exchange of lands for Indians; causes trust and fee patents to be issued; and maintains employment offices in various sections of the country for the placement of Indians in industrial work. Its purchase division handles the procurement of food, clothing, fuel, furniture, automobiles, medical supplies, machinery, agricultural implements, seeds, etc., aggregating an annual expenditure of over \$5,000,000. In March, last, responsibility for health and educational work among the natives of Alaska was transferred from the Office of Education to this bureau. There are 212 employees in the Washington office and approximately 6200 permanent positions in the field services.

#### OFFICE OF EDUCATION

The Office of Education is engaged primarily in research and the collection and dissemination of information on education with the object of promoting the cause of education throughout the country. Its publications, therefore, deal largely with educational achievements and significant movements and tendencies concerning organization, management, methods of teaching, etc., in the various types of schools, both public and private. Numerous research organizations, educational associations, and institutions lend their cooperation in surveys, special studies, and kindred projects undertaken by the office. The greater part of statistics which concern education in the United States are collected and published biennially.

#### Conducts Surveys and Publishes Trends in Train- ing Methods

The office has no administrative functions except those connected with the expenditure of funds appropriated by Congress for the maintenance of colleges of agriculture and the mechanic arts. For many years it planned, directed and supervised industrial, educational and health work among natives of Alaska, but last year the reindeer industry was placed under the Governor of Alaska, and in March, 1931, health and educational work was transferred to the Office of Indian Affairs.

Special nation-wide surveys of educational conditions are conducted under the personal direction of the Commissioner of Education by experts obtained from colleges and universities and the public school system, assisted by members of the regular staff. Three such surveys in progress, for which Congress has authorized appropriations amounting to \$775,000, are those of secondary education, the professional education of teachers, and school finance. Other research and investigational activities are under the immediate direction of the assistant commissioner, conducted largely through five divisions: American schools, special problems; foreign school systems; collegiate and professional education; and statistics. A chief clerk has charge of general business functions, in-

cluding personnel matters, approves vouchers and payrolls, reviews correspondence, and assumes charge of the office in the absence of the commissioner and assistant commissioner.

One of the important functions of the office is the service rendered to educational agencies in need of professional assistance on their regular work or in the solution of particular problems, such as making surveys of educational systems and institutions, studies of curricula, school buildings, rural education in particular states, and special problems.

The Office of Education has no field force except temporary employees engaged in making special surveys for which specific appropriations are made by Congress. There are 156 employees in the Washington office, 58 of whom are engaged in technical and professional work in the various fields of education.

### NATIONAL PARK SERVICE

The National Park Service was established by an act approved August 25, 1916, to promote and regulate the use of areas known as national parks and monuments, by such means and measures as conform to the fundamental purpose of such areas, which is to conserve the scenery and the natural and historical objects and the wild life therein and to provide for their enjoyment in such manner and by such means as will leave them unimpaired for the enjoyment of future generations. Thus the primary functions of this bureau concern the development, conservation, protection and utilization of these national reservations for their recreational, educational and inspirational values to all the people; they involve the formulation of plans for administration, construction of accommodations and facilities for employees and visitors; museums, roads and trails, provision for regulation of public utilities, preservation of the beauty of the natural landscaping, protection of flora, fauna and the natural wonders, and the development of educational programs, including lectures and nature-study trips, that visitors may fully understand and appreciate the physical, geological, biological and historical aspects of the wild life and phenomena represented, as well as their beauty and grandeur.

When the bureau was established there were 14 national parks and 18 national monuments with a combined area of 7,426 square miles. There are now 21 parks and 34 monuments with a total area of 18,689 square miles. Four new parks have been authorized by Congress in the area east of the Mississippi River, with a probable area of 1,542 square miles.

The parks are administered locally by superintendents and the monuments by custodians. Engineering construction, forestry conservation, and landscaping operations are directed and supervised from a field headquarters



office in San Francisco. Under a director and associate director, the Washington office organization embraces four major divisions with an assistant director at the head of each, namely, branch of operations, branch of regulation and use, branch of lands, and branch of education. Under the branch of operations are divisions of administration and personnel, administrative accounts, and park operators accounts; the division of land investigations and the map and drafting section are units of the branch of lands; a division of publications and a photographic section are under the branch of education. There are 66 employees in the Washington office; the number in the field service varies seasonably from some 700 to 3,800.

#### SAINT ELIZABETHS HOSPITAL

By an act approved March 3, 1855, Congress provided that there should be in the District of Columbia a Government hospital for the insane, and that its object should be the most humane care and enlightened curative treatment of the insane of the Army and Navy of the United States and of the District of Columbia. The law further provided that the chief executive officer of the hospital should be a superintendent, to be appointed by the Secretary of the Interior, and that he should be a well-educated physician, possessing competent experience in the care and treatment of the insane.

#### For Curative Treatment of Insane Persons

Under the name of Saint Elizabeths Hospital, and as the result of supplemental legislation and arrangements, this institution also receives patients from the Marine Corps, Public Health Service, Coast Guard, Federal prisons, etc.

Nine citizens of the District of Columbia, appointed by the President, constitute a Board of Visitors authorized by law to make, subject to the approval of the Secretary of the Interior, needful by-laws and to visit the hospital, exercise supervision over its expenditures and general operations and annually to report its condition and needs.

The professional personnel, consisting of a large medical and scientific staff connected with the psychiatric services, medical and surgical, dental and social service departments, and the laboratories, is under the immediate supervision of a first assistant physician. The male and female services are each headed by a clinical director. An occupational therapy department furnishes recreational and vocational work to approximately 1,000 patients, including weaving, sewing, shoe and toy making, basketry, etc. An administrative assistant to the superintendent has charge of general business activities of the institution, including building construction and maintenance, personnel matters, purchasing, accounting, and dairying.

#### Occupational Therapy Department Furnishes Vocational Activities to Patients

and farming operations. The products of its farm, shops, etc., last year were valued at \$817,000.

As a teaching center the hospital offers training courses to internes, medical students from local universities, aviators, Navy doctors, student and affiliated nurses, psychiatric aids, and graduate nurses desiring a course in psychiatry.

The daily average patient population for the fiscal year 1931 was 4,602. There are 1,537 employees on the rolls.

#### FREEDMEN'S HOSPITAL

Freedmen's Hospital is a general hospital, with a bed capacity of 288, for the treatment principally of such persons of the Negro race from the District of Columbia, and elsewhere in special cases, as are unable to pay for needed medical and surgical attention. Provision is also made for a limited number of patients who are able to pay for their care and treatment. Prior to 1871 the institution was under the control of the War Department as an adjunct of Freedmen's Bureau, which was established principally for the care of the refugees who came to Washington in large numbers after the close of the Civil War. The hospital was transferred to the Interior Department in 1874.

#### Colored Hospital Previously Set Up to Handle Charity Cases

During the past year 4,336 indoor patients were under care, 871 of whom were paying patients. There were 8,308 treated in the out-patient department and 4,950 in the emergency department. The school of nursing gives theoretical instruction and practical training to over 100 nurses. The personnel of the hospital consists of the Surgeon in Chief, resident physician, assistant surgeon, pathologist, pharmacist, superintendent of nurses, chief clerk, and 137 other employees.

#### COLUMBIA INSTITUTION FOR THE DEAF

Columbia Institution for the Deaf is a corporation established in 1857 by private enterprise. It is managed by a board of directors, on which Congress is represented by one Senator and two Representatives, and is supported by congressional appropriations, tuition fees, and private donations. All deaf-mutes of teachable age residing in the District of Columbia and not to exceed 125 from the states and Territories, unable to pay tuition, are admitted without charge. The advanced department, known as Gallaudet College, had 132 students during the past fiscal year, and the primary and grammar department, known as Kendall School, 68. The institution was authorized by Congress in 1864 to confer collegiate degrees, and is open to both men and women. The principal officers are a president, secretary, and treasurer.

#### Academic Training for Deaf-Mutes Unable to Pay Tuition



## TERRITORIES

The Territories of Alaska and Hawaii, and the Virgin Islands, are under the general supervision of the Department of the Interior. Governors are appointed by the President, and annually report to the Secretary of the Interior upon prevailing health, educational, financial, industrial and general economic conditions, with their recommendations for needed legislation, administrative measures, etc. Alaska and Hawaii each has a territorial form of government. Their legislatures meet biennially to enact laws required for local government and to make appropriations of territorial revenues. Under congressional appropriations, laws enacted at sessions of the legislatures are printed, copies of which are transmitted to the President and to Congress through the Secretary of the Interior. Purely Federal functions are administered through the governors and other Government officials pursuant to laws enacted by Congress. Administration of the government of the Virgin Islands was placed under the supervision of the Secretary of the Interior by Executive Order of February 27, 1931. The legislative branch of the government consists of two colonial councils, which pass laws governing the islands subject to veto by the Governor, one council covering the islands of St. Thomas and St. John and the other covering the island of St. Croix. These councils existed under the Danish government and are continued under our government because satisfactory to the native population. Alaska was purchased from Russia in 1867 for \$7,200,000; its estimated area is 378,165,760 acres.

Captain James Cook, an English explorer, discovered the Hawaiian Islands in 1778. After passing through monarchical and republican forms of government, the islands were annexed by the United States in 1898.

The Virgin Islands, discovered by Columbus in 1493, were acquired by purchase from Denmark in 1917 for \$25,000,000. The group comprises the main islands of St. Thomas, St. John and St. Croix, and about 50 islets, mostly unnamed and uninhabited because of their barren, rocky surfaces.

## THE ALASKA RAILROAD

The Alaska Railroad, with a main line approximately 470 miles in length between Seward and Fairbanks, was authorized by Congress in 1914 for the purpose of developing the territory and was completed in 1923. Supervision of the operation of the railroad was placed under the Secretary of the Interior by Executive Order of June 8, 1923. General offices are located at Anchorage, and a freight, passenger and immigration agent is stationed in Chicago. The average number of employees in 1931 was 671.

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## Judicious Use of Telegraph Rates Saves Money For The Government

By

J. L. Koehl,

Supt. of Telephone and Telegraph Office.

Experience indicates that by taking advantage of the cheaper night message and night letter rates offered by telegraph companies a considerable sum of money may be saved annually by the Department of Agriculture. In using these cheaper rates for telegraph service employees in the field service and those who may be on a travel status should take into consideration the hour of the day and the difference in time between the various time zones.

A recent survey discloses the fact that many telegrams filed after the Department has closed for the day are sent as day messages and day

Many High Rate  
Telegrams Actual-  
ly go as Night  
Messages

letters. These telegrams all go paid for at the higher rates but are actually receiving service as night letters and night messages because they are sent too late to be delivered on the same day. Even though they may be relayed to the addressee's residence it is seldom that they can be acted upon before the following morning.

It can readily be seen that a message filed in the Central time zone after 3:15 p.m. would have no chance of reaching the Department at Washington before 4:30 p.m., and therefore would receive no action until the following business day. On the same basis a day message filed in the Mountain time zone at 2:15 p.m. or in the Pacific time zone at 1:15 p.m. would be received in the Eastern zone too late to be acted upon the same day. Similar conditions obtain with respect to telegrams sent from one point to another in the field where the offices concerned are located in different time zones.

Everyone recognizes the wisdom of sending messages within the same time zone, filed after the addressee's office has closed, at the cheapest rates. It would naturally follow, therefore, that all telegraphic messages, regardless of time zone, filed too late to be delivered on the current day should be sent at the cheaper night message or night letter rate.

Should Take Ad-  
vantage of the  
Cheaper Night  
Rates

By virtue of authority vested in the Postmaster General the government rate on telegrams is fixed at 40% of the commercial rate, with the following minimum rates established for the various classes of service:

Day messages	25 cents
Day letters	45 "
Night letters	30 "
Night messages	20 "



In order to correctly compute the government rate on a telegram one must know the commercial rate and then figure 40% of that to determine the government charge. As an example of how a saving can be effected we will consider a ten-word telegram sent from one of the Pacific states where the basic commercial rate is \$1.20 for ten words. The government charge would be not the minimum rate of 25 cents but 40% of \$1.20, or 48 cents. The basic commercial rate on a night message from the same state is 60 cents. The government rate would be 40% of 60 cents, or 24 cents.

How to Com-  
pute Govern-  
ment Rates

If a telegram is longer than ten words the proportionate saving would be greater. For example the commercial rate for a fifty-word day message from a Pacific state would be \$4.60. The government charge of 40% on \$4.60 is \$1.84. The commercial rate for a fifty-word night letter from a Pacific state would be \$1.20 whereas the government charge of 40% would only be 48 cents, thus a saving of \$1.36 is made by taking advantage of a government rate night letter instead of a government rate day message.

Saving Greater  
on Fifty-word  
Night Message

Where a telegram to be sent is a night message or night letter it is not necessary for the sender to know which of the two services is the cheaper because the telegraph companies always give the government the benefit of the cheaper rate. This is not true, however, with respect to day messages and day letters. Accordingly it is necessary that the sender ascertain from the telegraph company which rate is the cheaper.

Telegraph Companies  
Decide Whether to  
Send Night Letters  
or Night Messages

From this resume of conditions it will be seen that the exercise of judicious care in sending telegraphic messages will result in a considerable monetary saving to the Department.

-----PBA-----

FIVE MISTAKES OF LIFE

1. The delusion that individual advancement is made by crushing others down.
2. The tendency to worry about things that cannot be changed or corrected.
3. Insisting that a thing is impossible because we ourselves cannot accomplish it.
4. Attempting to compel other persons to believe and live as we do.
5. Neglect in developing and refining the mind by not acquiring the habit of reading fine literature.

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## Economies in Shipping

By

M. B. Berryhill

Traffic Manager.

It was formerly the practice of the Bureau of the Budget to call for reports from the "Woodpecker Club." In this group may be included the shipping officers of this department with their opportunities to discriminate and save in the kind of shipping necessary to meet specific requirements for handling and delivery.

The first essentials in shipping are a clear description of the article for classification, weights, correct packing, and complete legible labeling. The Consolidated Freight Classification should be consulted when a shipment is to be made and is available at all freight stations.

Packing should conform strictly with the requirements of the Classification, the manner of container and character of packing, making for lower rates by reason of the greater security against breakage, loss or damage. Where such difference is shown in the classification the shipper must make his choice in the sometimes greater cost of boxing or crating as against the risk of damage in handling. Lack of observance of packing regulations may bring about the rejection of the shipment at the freight station if it is not made subject to a much higher rate, sometimes carrying double cost by reason of the greater risk involved. Articles taking different classification should be packed separately unless the shipment is small enough to carry the highest classification in rating rather than minimum weights on small items. Parcel Post may be used to advantage for small weights. The Government may ship under frank a package not to exceed four (4) pounds. This must not cover a number of four pound packages of the same commodity, which would constitute a clear evasion of the limit placed upon the amount shipped under frank.

Economy of Water Rates Important Factor

Water rates or rail and water rates are usually lower than all rail and the Government intercoastal rates secured through the Federal Traffic Board, are 75 cents from Atlantic to Pacific ports, a minimum charge of \$1.50 per shipment, with exceptions on certain specified articles. The rate from Washington, D. C. to Pacific Coast ports via Norfolk, Va., is \$1.01 per hundred weight, with a minimum charge of \$2.00 per shipment. Where time limit will permit, water lines should be used. To many Atlantic Seaboard and Gulf points, water shipments make as good or better time than rail, the date of sailing, however, should be noted in connection with such routings.



Express is our deluxe transportation service, but there are times when it is also much cheaper than freight and may be used to advantage for small packages which as freight must carry the one hundred pound minimum, plus charges for collection and delivery. Abuses in the too general use of express in Departmental shipping constitutes a very expensive luxury and one not always justified either by nature of the commodity or the time required for delivery. It is always best to ascertain the approximate costs and time, for comparative purposes, where there is any doubt of the wisdom of using freight, express or parcel post.

A few examples are given below of the relative number of pounds and cost of these services from Washington, D. C. The cost of express includes pick up and delivery, and parcel post includes delivery.

	<u>Freight</u>		<u>Express</u>		<u>Parcel Post</u>	
	: Via Rail :		: Cost, and Number of :		: Cost, and Number :	
	: Min. Wt. :		: Lbs. approximating :		: of Lbs. approxi- :	
	: 100 Lbs. :		: Minimum freight. :		: mating Minimum :	
	: 1st. Class :		: 1st. Class. :		: freight. :	
New York, N. Y.	: \$0.70	: 23 lbs.	- \$0.69	: 32 lbs.	- \$0.70	
Wilmington, Del.	: 0.53 $\frac{1}{2}$	: 16 lbs.	- 0.53	: 47 lbs.	- 0.53	
Harrisburg, Pa.	: 0.59 $\frac{1}{2}$	: 18 lbs.	- 0.58	: 53 lbs.	- 0.59	
Pittsburgh, Pa.	: 0.77	: 25 lbs.	- 0.77	: 35 lbs.	- 0.76	
Wheeling, W. Va.	: 0.77	: 20 lbs.	- 0.77	: 35 lbs.	- 0.76	
Indianapolis, Ind.	: 1.24	: 29 lbs.	- 1.23	: 30 lbs.	- 1.24	
Chicago, Ill.	: 1.34	: 30 lbs.	- 1.32	: 32 lbs.	- 1.32	
Boston, Mass.	: 0.85 $\frac{1}{2}$	: 21 lbs.	- 0.83	: 20 lbs.	- 0.84	
Concord, N. H.	: 0.85 $\frac{1}{2}$	: 19 lbs.	- 0.84	: 20 lbs.	- 0.84	
Buffalo, N. Y.	: 0.89	: 23 lbs.	- 0.88	: 41 lbs.	- 0.88	
Detroit, Mich.	: 1.03	: 25 lbs.	- 1.07	: 24 lbs.	- 1.00	
Milwaukee, Wis.	: *1.34	: 29 lbs.	- 1.32	: 21 lbs.	- 1.29	
Davenport, Iowa	: 1.58	: 35 lbs.	- 1.56	: 25 lbs.	- 1.53	
St. Louis, Mo.	: 1.58	: 37 lbs.	- 1.63	: 25 lbs.	- 1.53	
St. Paul, Minn.	: 1.87	: 34 lbs.	- 1.86	: 30 lbs.	- 1.83	
Ogden, Utah.	: 5.10	: 54 lbs.	- 5.10	: 42 lbs.	- 5.05	
Ft. Worth, Tex.	: 3.07	: 45 lbs.	- 3.03	: 38 lbs.	- 3.06	
San Antonio, Tex.	: 3.38	: 44 lbs.	- 3.32	: 42 lbs.	- 3.38	
Los Angeles, Cal.	: 5.55	: 46 lbs.	- 5.55	: 46 lbs.	- 5.53	
San Francisco, Cal.	: 5.55	: 43 lbs.	- 5.51	: 46 lbs.	- 5.53	
Portland, Ore.	: 5.55	: 44 lbs.	- 5.50	: 46 lbs.	- 5.53	
Seattle, Wash.	: 5.55	: 45 lbs.	- 5.52	: 46 lbs.	- 5.53	
Memphis, Tenn.	: 2.11	: 44 lbs.	- 2.09	: 34 lbs.	- 2.07	
New Orleans, La.	: 2.38	: 45 lbs.	- 2.35	: 39 lbs.	- 2.37	
Jacksonville, Fla.	: 1.85	: 42 lbs.	- 1.84	: 30 lbs.	- 1.83	

Freight and express rates quoted above are subject to land grant deduction on Government shipments.

\*Via Pere Marquette.

Bureau Finance Officers in securing rates to set up liabilities for shipping their supplies throughout the year should bear in mind that shipping conditions are liable to change, and competitive rates between water carriers or the establishment of commodity rates may seriously conflict with former published tariffs. In considering rates on field bids where such rates have previously been furnished between common points, a recheck should be requested for any changes.

Shipments to foreign countries should be made through the U. S. Despatch Agent, Mr. Howard Fyfe, 45 Broadway, New York, N. Y., or by arrangement with the ocean carrier to handle the advance charges and bill on Government Bill of Lading in the usual way. This latter arrangement is entirely at the option of the ocean carrier, but it is usually acceptable if diplomatically preferred.

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#### AUTOMOBILE MILEAGE AUTHORIZATIONS

The preaudit bureaus, serving as the Department's shock troops in the matter of General Accounting Office automobile mileage exceptions, have seen their first difficulty - mileage to points nearby official stations - recede to the background with recent notable liberalization of the Audit Division's early attitude in this regard, while complications as to form of mileage authorization and as to voucher showings of "advantage and economy" have advanced to first place. In the October print of the Comptroller General's decisions three rulings, 11 Comp. Gen., 126, 134, 155, lay down rather clearly the doctrine upon which the Audit Division is acting. Where travel orders are specific, that is, indicate the itinerary, and the mileage authorization is coupled with the statement that use of employee's car has been administratively determined to be advantageous and economical, the mileage will not "ordinarily" be questioned, and the traveler is not upon proof as to the saving. Where, however, travel is under a general authority - no specification of particular trips - there can be no prior determination as to advantage, and the traveler must prove his case. In other words, quoting 11 Comp. Gen., 155, "A showing of the economy and advantage should be attached to the expense voucher." Incidentally this last decision contains a mileage authorization formula for the general travel authorizations which should be particularly useful to bureaus which have been groping for an acceptable phrasing.

-----PBA-----

#### A FRIEND - YOUR JOB

Your job is your best friend. On the way you treat it, the way you manage it, depends your whole future. Your mental attitude toward it, your expectations, your convictions regarding it, influence your life for good or ill. -----Success.

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# Legal Questions Confronting The Administrator Concerning Construction Work, Supplies, and Services

By

R. H. L. Seaton

Office of the Solicitor

With the growth of the work of the Department there has been a proportionate increase in the number of contracts for construction work, supplies, and services. This has naturally resulted in an increase in the number of legal questions pertaining thereto coming before the Office of the Solicitor for solution; and a brief discussion of those arising most frequently may be helpful to those in the various bureaus handling such matters administratively.

It is a significant fact, more and more evident as time goes on, that the majority of contractors awarded Government contracts fail, apparently, to understand, or take into consideration, the limitations imposed by law and regulations upon Government officers in disposing of questions arising in connection with such contracts and such failure accounts for most of the troubles of the contractors. The simple solution of such a difficulty is, in large measure, a careful reading of the rules governing bidding and of the various provisions of the Standard forms of Government contracts, but the average contractor seems to either fail to read the same or to understand them.

## Contractors Fail to Understand Limitations Im- posed by Law

The contractors bidding upon Government contracts are, under contracts with others than the Government, accustomed to look to the owner or architect to decide a question upon which they may act and they seem to be at a loss to understand the very different procedure which they must follow in prosecuting a Government contract. For example, if, under a private contract, it is desired to make a change in the plans and specifications, the owner or architect consults with the contractor and the question is settled then and there.

## Contractors Accustomed to Looking to Owner or Architect

But not so under a Government contract. If the same situation arises under a Government contract, Article 3 of the Standard Construction form furnishes the mode of procedure, providing that "The contracting officer may at any time, by a written order, and without notice to the sureties, make changes in the drawings and (or) specifications of this contract and within the general scope thereof. If such changes cause an increase or decrease in the amount due under this contract, or in the time required for its performance, an equitable adjustment shall be made and the contract shall be modified in writing accordingly\*\*\*." Procedure under this provision would not seem to present any difficulties but inquiries concerning it are frequent. The first step is usually an informal discussion of the change desired between the contractor and the official.

## Mode of Pro- cedure Under Government Contract

directly in charge of the work, whereupon the contractor submits his proposal, in writing, including the additional cost and time required, if any, and the Acting Secretary, if he approves, then issues an order, in the form of a letter to the contractor, setting forth, in detail, the change or changes desired, the additional cost, if any, which will be allowed and the additional time, if any, which will be granted for performance.

Customary Steps  
to Accomplish  
Changes

Another difficulty, in addition to that above mentioned, constantly occurring in connection with the performance of Government contracts, and the most outstanding one, grows out of Article 9 of the Standard form of construction contract pertaining to the assessing of liquidated damages, on account of delays in the performance of the contract beyond the time stipulated in the contract for completion.

Assessing of  
Liquidated  
Damages

The Article referred to provides, in part, that the contractor shall not be charged with liquidated damages on account of delays, if such delays are "\*\*\*\*due to unforeseeable causes beyond the control and without the fault or negligence of the contractor, including, but not restricted to, acts of God, or of the public enemy, acts of the Government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather or delays of sub-

Interpretation  
of Article 9

contractors due to such causes\*\*\*." The above quoted provision is clear but the difficulty arises in its application, and that by reason of the widely divergent interpretations placed upon certain of the causes of delay enumerated in Article 9. Who is to say, for instance, what are acts of God or unusually severe weather conditions? A decision of the Comptroller General on September 25, 1931, which is unusually in point, reads, in part, as follows:

"The courts have held that occurrences which might reasonably have been anticipated are not acts of God in the legal sense. 1 Corpus Juris, 1175; Gleeson vs. Virginia Midland R. R. Co., 140 U.S. 435. Lightning, earthquakes, great droughts, tornadoes, high winds, extraordinary floods, a storm or tempest of extraordinary violence, waterspouts, violence of the seas, and other like disturbances of the elements are usually regarded as acts of God, but this is not true of storms and weather conditions which are not unusual in character and which reasonably could have been anticipated. Floods and freshets of an unprecedented or extraordinary nature are acts of God in a legal sense, but they are not such where they could have been anticipated by ordinary foresight and prudence. Constant, unusual, or heavy rains and an ordinary flood or freshet can not of themselves be classed as a providential hinderance. Freezing and zero weather or heavy snow at a season of the year when such weather is naturally to be expected



can not be brought within the definition of the term "act of God." In this connection see 1 Corpus Juris, 1176, 1177, 1178 and cases there cited. Constant and heavy rains or snow, an ordinary flood or freshet, freezing and zero weather, are all a part of the general hazard assumed by a contractor in connection with the performance of his contract, unless the contract provides otherwise, and they are not to be classed as "acts of God" to excuse delays unless so abnormal, extraordinary or unusual, and of such severity that they would not reasonably have been considered as foreseeable so as to be provided against in the contract."

The above quoted decision of the Comptroller General suggests an interesting sidelight. The section of the country in which the contract is to be performed may sometimes be a controlling factor in determining

Section of  
Country a  
Controlling  
Factor

whether the weather conditions come within the purview of Article 9. For example, should a contractor enter into a contract for performance in one of the Dakotas, and a snow storm occurred, such as is common to that country, blocking the roads and interfering with transportation, it probably would be held that the contractor was not excused from the payment of liquidated damages for the reason that he contracted with such conditions in contemplation, but if during the performance of a contract in or around Washington, where such storms rarely, if ever, occur, and such a condition should prevail, it probably would be held to be such "unusually severe weather" as would excuse the contractor from the payment of liquidated damages. However, the average contractor assumes that, if the delay under the contract comes within the scope of Article 9, as he interprets the same, the matter is adjusted by his claim for an extension of time equivalent to the delay, and the granting of the same by the administrative officer of the Department involved. The Comptroller General

Comptroller  
General Only  
May Determine  
Whether Liqui-  
dated Damages  
Shall be Remitted

has repeatedly held that no administrative officer of the Government is authorized to extend the time of a contractor under a Government contract on account of delays and that it is a function of the General Accounting Office to determine whether or not liquidated damages shall be remitted for any given cause of delay. In other words, it is for the General Accounting Office to determine whether in a given case, any cause claimed, whether it be an act of God or an unusually severe storm, is such as will justify remitting liquidated damages. The administrative officer has,

Administrative  
Officer Must  
Make Deductions  
for Delays

therefore, no discretion in the matter but to make deductions for all delays at the rate stipulated in the contract and tender the balance to the contractor. If the tender is refused, the account, together with an explanatory statement of facts, is then submitted to the General Accounting Office for direct settlement.



Another difficulty frequently arising under the Standard form of contract is in connection with Article 5 providing for extra work, as distinguished from work involved under a change in plans and specifications above discussed. Article 5 reads as follows:

Extra Work  
Provided for

"Except as otherwise herein provided, no charge for any extra work or material will be allowed unless the same has been ordered in writing by the contracting officer and the price stated in such order."

Here again the provision is clear and specific as to procedure and yet contractors are prone to perform extra work requested of them by officials directly in charge of the work instead of first securing authority therefor in writing from the Contracting Officer.

After all, it resolves itself into a question of educating contractors doing business with the Government as to the powers and duties of those officers of the Government with whom they are in contact while performing a contract. When they have been thus educated and likewise impressed with the advantage to them of a careful reading of the contract when it is executed and whenever, during its performance, some unusual step is to be taken, the troubles of Government contractors will largely disappear.

-----PBA-----

#### DISCOUNTS

Which is the governing date in determining whether payment has been made within the discount period? Or, more broadly stated, when is a check payment made--on the date of the check, the date of mailing, or the date of receipt by the payee? The question is answered in a recent decision by the Comptroller General to the Secretary of the Interior, A-39516. The date of payment is that upon which the check is placed in the mail. That borne by the check is not controlling, since delivery to the postal service may have been many days later. In order that there may be a record in the event of dispute, the Comptroller General recommends that the date of mailing be specially noted in the discount cases.

-----PBA-----

"To be seventy years young is something far more cheerful and hopeful than to be forty years old."

-----Oliver Wendell Holmes.

-----PBA-----



RECENT ADDITIONS TO BUSINESS LITERATURE

Many questions dealing with the human factor in office supervision are discussed in "Practical Office Supervision," by Glenn L. Gardiner. Pointing out the fact that the development of efficiency and office production has fallen below the standards of factory production, he has attempted to set out solutions to the various problems of an office. Such things as the securing of cooperation among the workers, the elimination of office politics, bringing about of desirable working conditions, and the solution of workers' personnel problems, have all been covered by Mr. Gardiner in this book.

-----PBA-----

Business Administration Series "Personnel" by George R. Hulverson, describes the handling of the personnel activities of a business from the standard of its being one of the main functional divisions of any organization. Throughout the discussion the problem of general administrative control is kept in the foreground. It is believed that such a picture of the personnel activities and their relation to organization as a whole will be of value alike to personnel executives, executives of other departments and those concerned with the general management of an organization. Such matters as job analysis, recruiting, interviewing, transfers and promotions, the training of employees and the handling of personnel problems, as well as the keeping of personnel records, are discussed by the author.

-----PBA-----

An interesting book telling about the specific individual problems confronting a man in choosing a vocation and then adjusting himself to his job, is the "Young Man in Business," by Harry L. Davis. Helpful suggestions to aid in a thorough self-analysis, the necessity of preparation for the assumption of responsibility, and the necessity for expressing one's self coherently in written letters and reports, are all discussed by this book. It goes further and points out the primary qualities of a leader. The traits that go to make up a leader are pointed out in some detail and it is felt that this book will prove of interest not only to the young man engaged in business tasks, but older men as well.

-----PBA-----

The field of administrative activity covered by Tead and Metcalf in their book entitled "Personnel Administration," includes all those functions usually included in personnel management, such as employment, health and safety, training of personnel, and personnel research. An attempt is made to show the relation of the personnel problem of each organization to those of industry, as a whole, by considering the activities of employers and associations and the dealings which they may have with organizations of workers on a national scale.

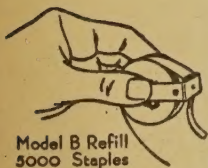
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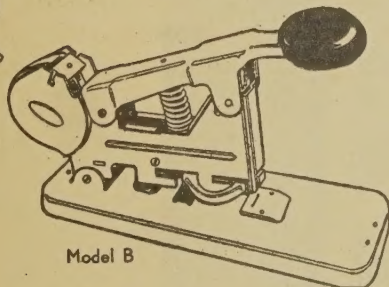
**BUREAU ROSTER** An ingenious "plaque" for directory material and other reference data constantly in use, has been developed by Norris A. Olmstead, in the office of the Chief Clerk of the Bureau of Animal Industry. This plaque consists of a square foot of cardboard faced with tightly drawn strong linen paper. At every sixth of an inch are lines which are slit with a knife, making spaces for the insertion of cards. This entire plaque is one foot square with room for 378 cards  $1\frac{2}{3}$  inches wide and  $1\frac{1}{4}$  inches long. Each card shows the name, telephone number, room number and location of an employee and thus an up-to-date visible record can be maintained. This system has been found to be more practical and efficient than a card index system.

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**STAPLING MACHINE** This stapler uses a coil of wire instead of the customary prepared staples. The staples are neat, strong, and can be used on as many as 20 or 25 sheets of paper. This new system will not jam or clog, and the machine will stand long and hard wear. One loading produces 5,000 staples.



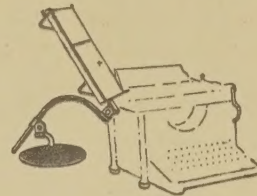
Model B Refill  
5000 Staples



Model B

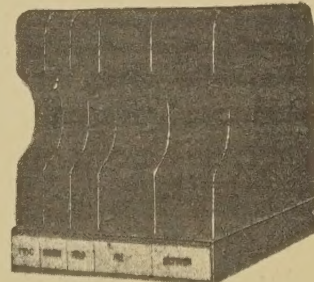
"MAKES ITS OWN STAPLES"

**RITE-SITE COPY HOLDER** This device can be arranged in eight positions and meets every requirement for perfect vision and ease in handling notes or copy while using the typewriter. In addition it can be used on adding, billing and posting machines.



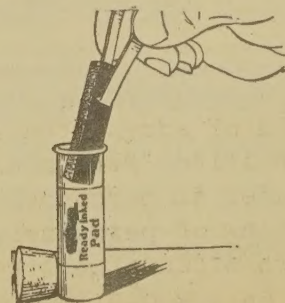
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**DESK ORDERLY** The adjustable partitions of this steel desk orderly permit the separation of correspondence and miscellaneous papers. Standard bases may be added to increase the number of compartments so far as desired.



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**READY INKED PAD** Ready Inked Pads for numbering machines insure adequate application of ink and keep down the cost of cleaning and up-keep. There is no spilling of ink, no waste, no dirty hands, and the price is no more than buying the ink and pads separately.



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